

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

YUBA CITY UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2015100682

ORDER GRANTING PEREMPTORY
CHALLENGE

On January 21, 2016, Yuba City Unified School District filed a motion seeking to challenge the assignment of Administrative Law Judge Andrea Miles in the above captioned matter. Yuba City's peremptory challenge is made pursuant to Government Code section 11425.40, subdivision (d), of the Administrative Procedures Act, and California Code of Regulations, title 1, section 1034.

Government Code section 11425.40, subdivision (d), establishes the criteria for disqualification of the presiding officer. A party is entitled to one peremptory challenge (disqualification without cause) to an ALJ assigned to an Office of Administrative Hearings hearing. (Cal. Code Regs., tit. 1, § 1034, subds. (a) & (b); Gov. Code, § 11425.40, subd. (d).) Yuba City's peremptory challenge is timely made and is granted pursuant to Government section 11425.40, subdivisions (a) and (d), and California Code of Regulations, title 1, section 1034, subdivision (c). The matter is reassigned to ALJ Rebecca Freie.

IT IS SO ORDERED.

DATE: January 22, 2016

/s/

MARGARET BROUSSARD
Presiding Administrative Law Judge
Office of Administrative Hearings